

Serial No.: 10/605,801



In re patent application of

Docket No. P26811

Shaun B. Crawford et al.

Serial No.: 10/605,801

Group Art Unit: No. 1756

Filed: October 28, 2003

Examiner: Christopher Young

For: **IMPROVED CD UNIFORMITY OF CHROME
ETCH TO PHOTOMASK PROCESS**

TERMINAL DISCLAIMER

Your petitioner, International Business Machines, Corp. represents that it is the owner of record of the entire right, title and interest of the above-identified application by virtue of an assignment recorded in the U.S. Patent and Trademark Office on October 28, 2003 at Reel 014081, Frame 0211 of U.S. Application No. 10/605,801 for **IMPROVED CD UNIFORMITY OF CHROME ETCH TO PHOTOMASK PROCESS.**

The undersigned is an attorney or agent of record authorized to act on behalf of the assignee in the filing of this terminal disclaimer.

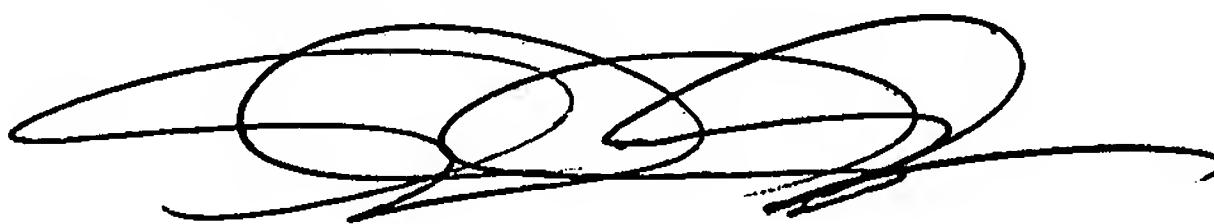
Your petitioner, International Business Machines, Corp., hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of any patent granted on U.S. Application Serial No. 10/604,181, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on U.S. Application Serial No. 10/604,181, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

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Petitioner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of any patent issued for U.S. Application Serial No. 10/604,181 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the failure of common ownership stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew M. Calderon".

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